

REMARKS/ARGUMENTS

Claims 1-3, 5, 7-16, 18-21, 24-49, 51, 53-62, 65 and 66 are in the case.

Applicants have studied the Office Action mailed December 3, 2004 and have made changes believed to place the application in order for allowance. Reconsideration and reexamination are respectfully requested.

Applicants gratefully acknowledge the Examiner's allowance of claims 1-3, 5, 7-14, 21, 24-40, 47-49, 51 and 53-60.

The Examiner has rejected claims 15, 18, 19, 41, 43-45, 61 and 65 under 35 U.S.C. 102(b) as being anticipated by US Pat. No. 6,052,247 to Treffers. Claims 16, 42 and 62 have been rejected under 35 U.S.C. 103 as being unpatentable Treffers in view of US Pat. No. 5,969,893 to Basham. Claims 20, 46 and 66 have been rejected under 35 U.S.C. 103 as being unpatentable over Treffers in view of US Pat. No. 5,726,702 to Hamaguchi. These rejections are respectfully traversed.

For example, independent claim 15, as amended, is directed to a "method for storing data files on a magnetic tape medium" comprising "selecting a first set of data files to write to a first user data section of the magnetic tape medium, wherein the magnetic tape medium further includes a second user data section, and wherein the first user data section has a shorter longitudinal length than the second user data section so that the first user data section comprises a faster access user data section than the second user data section; transferring the first set of data files to write to the magnetic tape medium wherein the first set of data files are written to the first user data section; and transferring the second set of user data files to write to the magnetic tape medium after writing the first set of data files, wherein the second set of data files are written to the second user data section of the magnetic tape medium." It is the Examiner's position that the Treffers reference describes writing a first set of data records to a first user data section P1 (FIG. 3) and a second set of data records to a second user data section P2 having a different length than the first section P1. However, the Examiner has cited no portion of the Treffers reference which describes writing a file to the section P2. Instead, it appears that after

writing a portion of an information signal in the first section P1, "the apparatus continuously records the remaining portion of the first information signal in the second subportion P2 ... until recording is terminated by generating an 'end-of-file' word EOF1." Treffers, col. 4, lines 7-17. Thus, it is clear that the Examiner's citations to the Treffers reference do not describe writing a complete information signal or file, to the second section P2 but at best describes writing a portion of an information signal or file to the second section P2.

Moreover, it is respectfully submitted that it would not be obvious to modify the apparatus of the Treffers reference to write complete information signals to both the sections P1, P2. On the contrary, it appears that the Treffers reference cites an increase in access time by placing at least a portion of each information signal in the first section P1. Treffers, col. 6, lines 43 et seq., for example.

The deficiencies of the Examiner's citations to the Treffers reference are not met by the Examiner's citations to the Basham or Hamaguchi references .

Independent claims 20, 41, 61 and 66 may be distinguished in a similar fashion.

The rejection of the dependent claims is improper for the reasons given above. Moreover, the dependent claims include additional limitations, which in combination with the base and intervening claims from which they depend provide still further grounds of patentability over the cited art.

The Examiner has made various comments concerning the anticipation or obviousness of certain features of the present inventions. Applicants respectfully disagree. Applicants have addressed those comments directly herein above or the Examiner's comments are deemed moot in view of the above response.

Conclusion

For all the above reasons, Applicants submit that the pending claims 1-3, 5, 7-16, 18-21, 24-49, 51, 53-62, 65-66 are patentable over the art of record. It is believed that no additional fees are needed. Nonetheless, should any additional fees be required, please charge Deposit Account

Amdt. dated March 3, 2005
Reply to Office action of December 3, 2004

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No. 50-5085.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

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